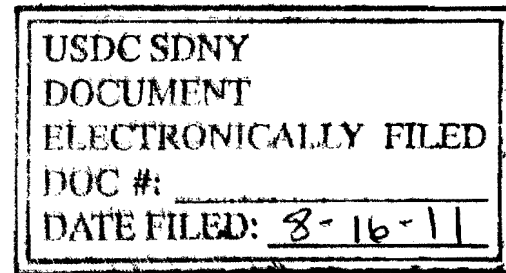


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



----- X
CHRISTOPHER ROULE,

Plaintiff,

v.

KEITH TOWNSEND MITCHELL and KETOMI
COMPANY,

Defendants.
----- X

Civ. 10-cv-5009 (BSJ) (RLE)

[PROPOSED] Scheduling Order and
Case Management Plan

This Scheduling Order and Case Management Plan is adopted in accordance with
Federal Rules of Civil Procedure 16 and 26(f). This Scheduling Order and Case
Management Plan governs pre-trial proceedings in the above-captioned case.

1. Initial disclosures pursuant to Fed. R. Civ. P. 26(f) will be exchanged by the parties by September 23, 2011.
2. Any amendment of the pleadings shall be accomplished no later than February 1, 2012.
3. **Merits Fact Discovery.** Merits fact discovery is to be completed in accordance with the schedule set forth in the remainder of this paragraph 3.

The following interim deadlines may be extended by the parties on consent without application to the Court provided the parties are certain that they can still meet the discovery completion date, if any, ordered by the Court.

- a. All discovery requests permitted under the Federal Rules shall be served sufficiently in advance in order to permit

the answering party to respond within the time constraints set forth in this order;

- b. Responses to Requests for Admission and Written Interrogatories shall be completed by December 1, 2011.
 - c. Document production shall be completed no later than January 8, 2012.
 - d. Each party shall be allowed 10 depositions; all depositions must be taken on or prior to March 1, 2012.
 - e. All merits fact discovery shall be completed by March 1, 2012.
4. **Expert Discovery.** Expert reports pursuant to Fed. R. Civ. P. 26(a)(2), if any, shall be completed and served on the following dates:
- a. Plaintiff's expert report(s) shall be served no later than February 6, 2012;
 - b. Defendants' expert report shall be served no later than February 20, 2012;
 - c. Rebuttal reports shall be served no later than March 5, 2012;
 - d. Expert discovery, including depositions of all experts identified by the parties, shall be completed no later than March 30, 2012.
5. Motions for summary judgment, if any, shall be filed any time prior to April 30, 2012.

6. The trial shall be set for ~~May 2012~~ ⁹ to be determined by Judge Jones.

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Dated: New York, New York

August 16, 2011

SO ORDERED:



7. Parties shall appear for a status conference
on January 3, 2012, at 10.00 am, in
Courtroom 18D, 500 Pearl street.